



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8EPR-N

Mr. John Cater
Division Administrator
Federal Highway Administration
12300 West Dakota Avenue, Suite 180
Lakewood, CO 80228

Mr. Donald E. Hunt
Executive Director
Colorado Department of Transportation
4201 E. Arkansas Avenue
Denver, CO 80222

Re: I-70 Mountain Corridor Final Programmatic
Environmental Impact Statement, Colorado
CEQ # 20110073

Dear Mr. Cater and Mr. Hunt:

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the I-70 Mountain Corridor Final Programmatic Environmental Impact Statement (PEIS) in accordance with EPA's responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4321, *et seq.* and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. This Final PEIS was prepared by the U.S. Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT).

PROJECT DESCRIPTION

CDOT and FHWA are proposing transportation improvements to increase capacity, improve accessibility and mobility, and decrease congestion along the 144 mile-long I-70

Mountain Corridor from Glenwood Springs in the west to C-470 in the east in Colorado. This Final PEIS, a "Tier 1" document, analyzes proposed alternatives to meet the purpose and need for this action. The Tier 1 decision identifies general capacity, mode, and location for transportation improvements in the Corridor and establishes the framework for future project-level activities. Mitigation strategies for natural resources are described in this Final PEIS, but specific mitigation measures for each resource will be addressed in the subsequent Tier 2 NEPA documents.

Alternatives considered for meeting the purpose and need for the projects ranged from the No Action Alternative, to transportation management, to action alternatives that included highway improvements, bus, rail, an Advanced Guideway System, and a combination of these components. The Preferred Alternative is a combination of the following: (1) transportation management; (2) a minimum or maximum program of highway improvements (i.e., highway widening, auxiliary lanes, interchange improvements, curve safety modifications, and third bores at the Eisenhower-Johnson Memorial Tunnel and at Twin Tunnels) for either 55 miles per hour (mph) or 65 mph; and (3) the Advanced Guideway System, a technology that has yet to be developed. The transportation agencies are planning on using an adaptive management approach to the Preferred Alternative that allows transportation improvements to be implemented over time.

EPA COMMENTS

Air Quality

EPA appreciates the additional language that was added to section 3.1.6 to address our comments on the Revised Draft PEIS. This new language also stated that additional MSAT analyses will be performed for populated areas along the corridor that will include quantitative emissions analyses. In addition, we are pleased with the statement in section 3.1.7 that air quality monitoring during construction, including PM_{2.5}, is begin considered.

EPA looks forward to the Tier 2 analysis of the I-70 Mountain Corridor projects that will provide specific detailed discussions, data, and other information necessary to address the specific environmental impacts and mitigation associated with the Preferred Alternative. With this premise in mind, EPA offers the following comments with regard to the Final PEIS:

- Air Emissions Data: Section 3.1, Climate and Air Quality Resources, page 3.1-3, Table 3.1-1 and section 3.1, page 24, Table 6 of the Climate and Air Quality Technical Report: We note that EPA's Compilation of Air Pollutant Emission Factors AP-42, Chapter 13.2.1 for estimating re-entrained road dust emissions was updated as of January, 2011. This was officially announced in the Federal Register on February 4, 2011 (see 76 FR 6328). For Tier 2 projects, EPA recommends using these revised emission factors as they are current information and will show greatly reduced re-entrained road dust calculated emissions for paved roads.

- 1.) Air Emissions Tier 2 Process: Section 3.1, Climate and Air Quality Resources, page 3.1-6, section 3.1.6: The last sentence of paragraph one of this section states "... and will use the Environmental Protection Agency's latest air quality model, MOVES, where appropriate." EPA appreciates this additional commitment. The current version of MOVES – MOVES2010a – was released by EPA in late August, 2010 and there will likely be subsequent versions. Please check our website, <http://www.epa.gov/otaq/models/moves/index.htm>, for the latest version when Tier 2 NEPA documents are developed.

Water Quality

EPA thanks FHWA and CDOT for addressing some of the comments regarding stormwater concerns. EPA agrees with CDOT that because the PEIS will lead to multiple Tier 2 processes and separate construction projects, CDOT can acquire separate permits for each project. EPA will review the Tier 2 NEPA documents and provide comments on the appropriate permitting mechanism for these separate projects.

The last four bullets of EPA's detailed water resources comments were missing from Appendix F Response to Comments. The missing bullets related to the Total Maximum Daily Load (TMDL). EPA anticipates that during the Tier 2 processes, CDOT will provide information for how each separate construction project will comply with the TMDL for stormwater construction discharges.

Environmental Justice

EPA commends FHWA and CDOT for adding language and graphics (i.e., Figure 3.9 1 map showing minority and low income populations across the corridor) to the Environmental Justice (EJ) chapter. EPA also appreciates the additional outreach to potential EJ communities in the project area that included a small group meeting, distribution of information packets, phone briefings with building managers where identified populations live, and working with churches and conducting information briefings after church services.

Most of our concerns regarding EJ have been addressed at the Tier 1 level. However, we encourage detailed analysis in Tier 2 regarding impacts to minority, low-income, and tribal communities in regards to construction impacts, economic and social impacts, air and water impacts, and cumulative impacts. EPA still contends that due to the location of low-income populations near the I-70 corridor through most of the study area, there is likely to be a disproportionate impact to these populations over the general population and this should be considered further in Tier 2 analyses.

General Comments

EPA appreciates that more detailed explanations of the resource study areas and that Table 3.3-1, which was missing in the Revised Draft PEIS, were added to the Final PEIS.

Thank you for the opportunity to provide comments on the I-70 Mountain Corridor Final PEIS. If you have any questions or would like to discuss our comments or rating, please contact me at 303-312-6004 or the lead reviewer of this project, Carol Anderson, at 303-312-6058.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Svoboda', with a stylized flourish extending to the right.

Larry Svoboda
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

cc by email:

Monica Pavlik, Federal Highway Administration

Wendy Wallach, Colorado Department of Transportation, Region 1

